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Human resources management

Family leave programme

Report of the Secretary-General

I. Introduction

1. The General Assembly, in its resolution 51/226 (part III, sect. C, para. 3) of 3 April 1997, requested the Secretary-General to develop a family leave programme for United Nations staff without creating supplementary leave entitlements and to report thereon to the General Assembly as soon as possible. The present report is submitted in response to that request.

II. Background

2. Demographic changes in the workforce and new social trends have encouraged employers in both the public and the private sectors to develop special family leave practices and have brought family and quality of work considerations to the forefront of the human resources management agenda. This growing awareness has been linked to the ongoing efforts to improve the status of women, to ensure implementation of the principle of equality of men and women, and to provide assistance in reconciling work and family responsibilities, thus increasing staff focus and motivation and thereby enhancing performance. Employers have increasingly recognized that assisting staff in meeting their personal needs is essential to maintaining productivity, minimizing absenteeism and staff turnover, reducing conflict and stress, and improving overall performance.

III. Developments outside the United Nations Secretariat

3. Family-related leave, whether paid or unpaid, is intended to allow staff members to balance their family responsibilities with those at the workplace. Therefore, such leave is usually associated with such matters as short-term emergencies, childbirth, dependent child and elder care, and other family responsibilities. In many countries, including the comparator (the United States federal civil service), family-related leave is provided either by legislation or by collective agreement.

4. In 1994, under Public Law 103-388, the comparator undertook a specific approach to address unforeseen family-related emergencies, and the Office of Personnel Management issued new rules to permit most federal employees, regardless of gender, to use up to 13 days of sick leave each year to care for family members (spouse, spouse's parents, children, parents, brothers and sisters and their spouses, and others whose close association created the equivalent of a family member). Under the same law, fathers may use sick leave for a childbirth period or for activities related to the adoption of a child.[1]

5. The World Bank has been in the lead in the United Nations system in instituting, in addition to the equivalents of United Nations leave entitlements, a family leave-related programme, including short-term family leave to meet

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unexpected needs when a family member becomes ill; unpaid extended family leave to provide long-term care to a seriously ill member of the immediate family; paternity leave; unpaid extended parental leave; and emergency leave.

IV. United Nations common system

6. The organizations of the United Nations common system have recognized that "family-friendly" policies have long-term benefits of respecting conflicting demands on employees' time, reducing absenteeism, fatigue and stress and related illnesses. The ever increasing body of empirical evidence highlights the fundamental linkages between the family-supportive policies and cost/benefit evaluations of programme delivery. Consequently, a number of attempts have been made to harmonize family/work-related practices of organizations of the United Nations common system.

7. In its 1992 report to the General Assembly, the International Civil Service Commission reviewed a number of work/family-related issues, including, *inter alia*, child care and leave arrangements and recommended to the General Assembly that organizations consider: (a) amending staff rules, regulations and practices to include child care among the reasons for which special leave might be granted; and (b) flexible approaches to maternity leave within existing entitlements.[2]

8. Therefore, the Consultative Committee on Administrative Questions addressed issues pertaining to short-term family leave and recognized that there was merit in providing special leave with full pay to enable staff members to meet unforeseen family-related requirements. At its latest session, in May 1997, the Consultative Committee agreed to incorporate as appropriate in the organizations' rules a text along the following lines:

> "Within the current provisions for uncertified sick leave, a staff member may charge absences resulting from family-related emergencies."
>
> "A staff member appointed for a period of less than one year (or paid on a monthly basis) may similarly charge absences resulting from sudden family-related emergencies within the limits of and proportionate to the amount of uncertified sick leave of the appointment."[3]

V. Current entitlements under uncertified sick leave

9. In accordance with the recommendation of the Consultative Committee on Coordination, the United Nations has considered the development of a family leave programme within the current limits of uncertified sick leave entitlements.

10. Under current entitlements, staff members appointed under the 100 Series of the Staff Rules may have no more than seven days of uncertified sick leave within one year. Staff members appointed under the 300 Series may have no more than three days of uncertified sick leave for any period of six months of continued service. Staff members under the 200 Series have no entitlements to uncertified sick leave.

11. The existing entitlements for family-related leave, albeit covering a wide range of family-related needs, require that some family-related arrangements be determined on an exceptional or case-by-case basis. These include the cases of unpaid parental leave, which enables parents to participate in early child-rearing and to build stronger family units; paternity leave, which allows husbands to provide family support upon the birth of a child; emergency family leave, which is granted in unexpected situations (child or spouse with a minor illness, child's visit to a doctor); family leave, which allows time off to care for a sick child, sick parents or members of the immediate family including brothers and sisters and possibly other members of the household.

VI. Conclusions

12. Taking into account the considerations outlined above, the Staff-Management Coordination Committee, at its twenty-first session in June 1997, recommended to the Secretary-General the implementation of a family leave programme within existing entitlements. The Secretary-General has endorsed the proposal, which has the following provisions:

(a) To allow eligible staff to use uncertified sick leave, within the current provisions, i.e., up to a maximum of seven days to attend to family-related emergencies, or for paternity leave in case of birth or adoption of a child;

(b) To authorize a partial conversion of maternity leave to paternity leave in dual-career families where both spouses are staff members of the Secretariat; alternatively the ongoing practice of charging annual leave entitlement for the paternity leave could continue. Managers should be

encouraged to allow staff members to utilize accumulated leave or to advance annual leave (under existing provisions) for paternity leave purposes;

(c) To include in staff rule 105.2 a provision authorizing special leave without pay as a parental leave for up to two years, possibly extended for an additional two years in exceptional circumstances, after the birth of a child, with all guarantees of reabsorption;

(d) To include in staff rule 105.2 a provision allowing staff to be granted special unpaid leave, including travel time, when an immediate member of the family dies, or in case of a serious family emergency.

13. The provisions of this family leave programme fall strictly within the parameters of current entitlements as requested by the General Assembly in its resolution 51/226. It should be noted that the family leave provisions would not apply to staff appointed under the 200 Series who are currently not entitled to any uncertified sick leave.

14. The introduction of the family leave programme will require amendments to the Staff Rules. An appropriate text will be submitted separately to the General Assembly in the context of the report of the Secretary-General on amendments to the Staff Rules.

Notes

[1] *Federal Employees News Digest*, vol. 46, 30 June 1997.

[2] *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 30* (A/47/30), para. 296 (i).

[3] ACC/1997/13, paras. 19 and 20.